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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

JOEL L. TURNER

Case No. 10-3001-CL

Plaintiff,

v.

SOUTHERN OREGON CREDIT
SERVICE, INC.

COMPLAINT FOR VIOLATIONS OF
FAIR DEBT COLLECTION
PRACTICES ACT

JURY REQUESTED

Defendants

JURISDICTION

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and pursuant to 15 U.S.C. §1692k(d).
2. This action arises out of Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. ("FDCPA").
3. Venue is proper in this District because the acts and transactions occurred here, Plaintiff resides here.

COMPLAINT

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PARTIES

4. Plaintiff Joel L. Turner (hereinafter "Plaintiff") is a natural person who resides in the City of Jacksonville, State of Oregon, and is a "consumer" as that term is defined by 15 U.S.C. § 1692a(3).

5. Defendant Southern Oregon Credit Service, Inc. (hereinafter "Defendant") operating from an address of 841 Stewart Ave. Suite 11 Medford, OR 97501 is a "debt collector" as that term is defined by 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

7. Prior to 1999 Plaintiff received medical services from Dr. Alan J. Webb and Providence Medical Center and became indebted for those services.

8. In 1999 Defendant brought a claim against Plaintiff in the Jackson County Circuit Court to collect past due balances for the medical services Plaintiff received. *Southern Oregon Credit Service v. Joel Turner* Case No: 991303SM.

9. On June 21, 1999 Defendant obtained a judgment of default against Plaintiff.

10. On or about September 22, 2009 Plaintiff received a collection notice from Defendant to collect the debt Defendant sued Plaintiff for over 10 years ago. Within the collection notice Defendant claimed to have told a credit bureau about a late payment, missed payment or other default on Plaintiff's account.

11. Upon receiving the collection notice Plaintiff called Defendant to inquire about the debt. Within the telephone conversation Defendant threatened to garnish Plaintiff and black mark his credit.

12. Plaintiff received a second letter from Defendant claiming that if Plaintiff did not pay

the amount in 10 days Defendant would refer the judgment to their legal department with instructions to prepare an order for Plaintiff to appear in court.

13. To date Defendant has not renewed its judgment against Plaintiff and is attempting to collect a debt past its statute of limitations.

TRIAL BY JURY

14. Plaintiff is entitled to and hereby respectfully demands a trial by jury. US Const. amend. 7. Fed. R. Civ. Pro. 38.

CAUSES OF ACTION

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

15. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

16. The foregoing acts and omissions of defendant constitute numerous and multiple violations of the FDCPA including, but not limited to, 15 U.S.C. § 1692d, 1692e, 1692e(2)A, 1692e(5), 1692e(8), 1692e(10), 1692f.

17. As a result of Defendant's violations of the FDCPA, Plaintiff is entitled to actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3).

PRAAYER FOR RELIEF

WHEREFORE, Plaintiff prays that judgment be entered against Defendants for:

COUNT I.

VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT

15 U.S.C. § 1692 *et seq.*

for an award of actual damages pursuant to 15 U.S.C. § 1692k(a)(1) against each and every Defendant;

for an award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A) against each and every Defendant;

for an award of costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3) against each and every Defendant;

DATED: January 5, 2010



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